



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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NOTICE OF MEETING

STATE PUBLIC WORKS BOARD

**Friday, April 10, 2015, at 10:00 a.m. in Room 112,
State Capitol, Sacramento, California**

AGENDA

- I.** Roll Call
- II.** Approval of minutes from the February 13, 2015 and March 13, 2015 meetings
- III.** Consent Items Page 2
- IV.** Action Item Page 18
- V.** Reportables Page 34

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Aurelia Bethea at (916) 445-9694 or e-mail to aurelia.bethea@dof.ca.gov five days prior to the meeting.

CONSENT ITEMS

CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW EL CENTRO COURTHOUSE
IMPERIAL COUNTY

*Authority: Sections 70371.5 and 70371.7 of the Government Code
Chapter 33, Statutes of 2011, Item 0250-301-3138 (3)
Chapter 20, Statutes of 2013, Item 0250-301-3138 (2)
Chapter 25, Statutes of 2014, Item 0250-490 (1)(2)*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—1

Judicial Council of California
New El Centro Courthouse
Imperial County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. The authorized scope for this project includes construction of a new four-courtroom, approximately 47,512 program gross square feet courthouse in the City of El Centro, Imperial County. The project will relieve the current space shortfall, increase security, and replace inadequate and obsolete buildings in Imperial County. The project will consolidate court operations from the Brawley courthouse and two criminal courtrooms at the main El Centro courthouse. In addition, the functions currently located at the leased Valley Plaza facility in El Centro will be relocated to the main El Centro courthouse. In order to increase security, this project will include entrance screening with one screening station consisting of two package screeners and one magnetometer, and a secure sally port. The current facilities do not have modern screening equipment or a sally port.

Funding and Cost Verification

This project is within cost. A total of \$8,000,000 has been appropriated for this project. Based on the completed preliminary plans, the estimated total project costs are consistent with the authorized project costs as shown below.

\$47,606,000	total authorized project costs
\$47,606,000	total estimated project costs
\$ 4,656,000	project costs previously allocated: \$1,939,000 acquisition and \$2,717,000 preliminary plans
\$42,950,000	project costs to be allocated: \$3,344,000 working drawings and, \$39,606,000 construction (\$33,697,951 contract, \$1,721,699 contingency, \$892,000 A&E, and \$3,294,350 other)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on August 12, 2011, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Preliminary Real Estate Due Diligence letter for this project was completed on March 9, 2015, and no issues that would adversely affect the quiet enjoyment and beneficial use of the project were identified.

Project Schedule

Approve preliminary plans	April 2015
Complete working drawings	May 2016
Start construction	November 2016
Complete construction	March 2019

Staff Recommendation: **Approve preliminary plans.**

CONSENT ITEMS

CONSENT ITEM—2

JUDICIAL COUNCIL OF CALIFORNIA (0250)
WHITTIER COURTHOUSE AND PARKING STRUCTURE
LOS ANGELES COUNTY

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended

Consider accepting real property through a transfer of title

CONSENT ITEMS

STAFF ANALYSIS ITEM—2

Judicial Council of California
Whittier Courthouse and Parking Structure
Los Angeles County

Action Requested

If approved, the requested action would authorize the acceptance of real property through a transfer of title.

Scope Description

This transaction is within scope. The requested action would authorize the acceptance of a transfer of title to the Whittier Courthouse and an adjacent parking structure (Court Facility) pursuant to that certain Transfer Agreement between the Judicial Council of California (Council) and the County of Los Angeles (County) for the Transfer of Responsibility for and Transfer of Title to Court Facilities dated November 18, 2008 (Transfer Agreement). The Court Facility, built in 1953, is located at 7399 South Painter Avenue, Whittier, California and consists of approximately 2.4 acres of property improved with a three story building, parking structure, and associated landscaping. This will be a no-cost transfer of title; the Council has been responsible for the funding and operation of the Court Facility.

Funding and Cost Verification

This transaction is within cost. The County shall be entitled to compensation for its equity should the state decide to exercise its rights under Government Code section 70344(b). The only costs associated with acceptance of this no-cost acquisition are the staff costs to process the acceptance.

CEQA

A Notice of Exemption for the Court Facility was filed with the State Clearinghouse on February 3, 2009, and the 35-day statute of limitations expired on March 10, 2009.

Project Schedule

Close of escrow: March 2015

Condition of Property

Phase I Environmental Site Assessment (ESA)—A Phase I ESA report was completed in May 2009 that included an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I ESA, a visual inspection of the Court Facility was performed by the Council to detect any apparent hazardous conditions in, on, or about the Court Facility, and the historical uses of the real property were reviewed. No on-site or off-site recognized environmental conditions were found.

Building Assessment—Staff from Council's Office of Court Construction and Management (OCCM) conducted an initial site visit on December 6, 2007, to assess the general condition of the property. They have since visited the site several times to monitor the condition of the property. OCCM has concluded that the Court Facility did not contain any apparent hazards to the health and safety of the occupants or property.

Seismic Safety Assessment of the Improvements—In accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division, a Tier I Evaluation of the building located in the Court Facility was performed by a licensed structural engineer on October 17, 2003, and a Tier 2 Evaluation was completed on October 29, 2003. This seismic evaluation of the Court Facility was then peer-reviewed by other qualified engineers.

The seismic safety rating determined that the building has a seismic safety rating of Level V, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect in April 1994. The building is transferring to the state pursuant to the provisions of Government Code section 70324, which provides that the County shall be responsible for any seismic-related damage and injury; the County shall indemnify, defend and hold the state harmless from those claims.

Transfer Details

This Court Facility is a shared use facility occupied by the Superior Court and the County. The Joint Occupancy Agreement between the County and the Council identifies the Court Exclusive Use Area in the Court Facility as approximately 45,085 square feet (sf) and the County Exclusive Use Area as approximately 7,076 sf.

The County approved the Transfer Agreement to transfer title and responsibility of the Court Facility to the state on November 18, 2008 and authorized the Chairman of the County Board of Supervisors to execute the Transfer Agreement, Quitclaim Deed, and any other documents necessary for the transfer of responsibility and title of the Court Facility to the state.

The Transfer Agreement requires that delivery of title to the property be free and clear of any mortgages or liens. Concurrently with the transfer of title to the Court Facility, the Council will purchase an owner's policy of title insurance for the Court Facility from the title company.

The Transfer Agreement provides that the County's equity interest in the real property will be compensated should the Council sell or release title to the real property to a third party after the transfer of title.

The County has agreed to indemnify the state against any known conditions that existed in, on, or under the real property during the period of County ownership.

The County has agreed to indemnify the Council for any liability imposed on the Council pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.), or related provisions for conditions at the time of transfer whether known or not known that existed in, on, or under the real property.

Following the transfer of title to the court facility, the County shall continue to have the exclusive right to occupy and use the County's Exclusive Use Area, and the nonexclusive right to use the Common Area until such time as the local Superior Court ceases all court operations in the Court Facility.

The County's telecommunications and information technology services will be shared by the County and Council. Each party shall have the rights of ingress, egress, and access to enter each other's Exclusive Use Area and the shared underground utility conduits, cabling, and connections for inspecting, servicing, and operation purposes.

The Joint Occupancy Agreement provides for rights of first refusal in favor of either the County or the Council, in the event that either party desires to vacate the Court Facility, in accordance with Government Code section 70342(e).

In accordance with the Trial Court Facilities Act, the transfer includes the same amount of parking that served the Court Facility in October 2001.

The Council entered into a Non-Revocable License for the Use of Real Property ("License") with the County to allow the Council to enter and use County property for vehicle and pedestrian ingress and egress to the parking structure located within the Court Facility. The indemnification obligations between the Council and the County in the Joint Occupancy Agreement were extended to this License.

Other

- The JC is not aware of any lawsuits pending concerning the property.
- There is no relocation assistance, historic issues, or implied dedication associated with this transfer of title.

Staff Recommendation: **Authorize the acceptance of real property through a transfer of title.**

CONSENT ITEMS

CONSENT ITEM—3

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
BUTTE FIRE STATION/UNIT HEADQUARTERS – REPLACE FACILITY
BUTTE COUNTY**

*Authority: Chapter 1, Statutes of 2009, Item 3540-301-0660(5), as reappropriated by the
Budget Acts of 2011 and 2013
Chapter 25, Statutes of 2014 Item 3540-301-0660(6)*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—3

Department of Forestry and Fire Protection
Butte Fire Station/Unit Headquarters – Replace Facility
Butte County

Action requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project includes construction of a 20-bed Barracks/3-Bay Apparatus Building, Administrative Office Building, 5-Bay Automotive Shop, 2-Bay Dozer Shed, Covered vehicle wash rack with building to house filtration system, Physical Fitness, Service Center/Warehouse, Maintenance/Grounds Building with space for DGS Telecom Division and commercial laundry area for cleaning safety equipment and a Generator/Storage Building with emergency generator and transfer switch. The project also includes site work, utilities, paving, curbs, gutters, security fencing, landscaping, demolition of identified structures, fueling, facilities, signage, communications tower, hose wash rack, site drainage, trenching, sidewalks, retaining walls, covered storage for mobile equipment and all associated appurtenances.

Funding and Cost Verification

This project is within cost. Chapter 1, Statutes of 2009, Item 3540-301-0660(5) provides \$30,692,000 for the preliminary plans, working drawings and construction of this project. Chapter 25, Statutes of 2014, Item 3540-301-0660(6) also provides an additional \$3,845,000 for construction.

\$34,537,000	total authorized project costs
\$28,562,000	total estimated project costs
\$ 1,943,000	project costs previously allocated: preliminary plans
\$26,619,000	project costs to be allocated: \$1,810,000 working drawings and \$24,809,000 construction (\$20,555,700 contracts, \$1,027,800 contingency, \$1,705,200 A&E and \$1,520,300 other project costs)
\$ 5,975,000	estimated project savings: construction

CEQA

A Notice of Determination was filed with State Clearinghouse on February 20, 2015 and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed in March 2015, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	April 2015
Complete working drawings	November 2015
Start construction	February 2016
Complete construction	September 2017

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—4

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
VINA HELITACK BASE – REPLACE FACILITY
TEHAMA COUNTY

*Authority: Chapters 268 and 269, Statutes of 2008, Item 3540-301-0660(3), as reappropriated
by the Budget Acts of 2011 and 2013*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—4

Department of Forestry and Fire Protection
Vina Helitack Base – Replace Facility
Tehama County

Action requested

If approved, the requested action would approve plans.

Scope Description

This project is within scope. This project includes construction of a 22-bed Barracks/Mess Hall Building, 3-Bay Apparatus Building, Rescue Training Tower, Fire Sprinkler System at Existing Hanger, Generator/Pump/Storage Building. Site work includes demolition of identified structures, 2 Lighted Helipads, Fuel Dispensing System, Hose Wash Rack, Radio Tower, Weather Station, Grading, Paving, Walkways, Curbs, Fencing, Utilities, Water Supply, Storage and Distribution Systems, Waste Water Disposal System, Erosion Control Measures, and widening of State Highway 99 to allow for a new left turn lane.

Funding and Cost Verification

This project is not within cost. The Budget Act of 2008 provides \$13,062,000 for preliminary plans, working drawings and construction. Because interim financing became temporarily unavailable for this project in fall 2008, additional costs were incurred to restart the project when interim financing was again available and construction costs escalated. State Fire Marshal review and inspection fees, Small Business fees, Division of the State Architect plan check fees and DGS hourly rates increased in the working drawing and construction phases. On April 1, 2015, a Finance Letter was released to the Legislature requesting an augmentation for the same amount as the anticipated deficit identified below.

\$13,062,000	total authorized project costs
\$15,260,000	total estimated project costs
\$ 934,000	project costs previously allocated: preliminary plans
\$12,427,000	project costs to be allocated: \$855,000 working drawings and \$11,572,000 construction (\$9,156,500 contracts, \$457,800 contingency, \$1,158,700 A&E, and \$799,000 other project costs)
\$ 2,198,000	anticipated deficit: \$147,000 working drawings and \$2,051,000 construction

CEQA

A Notice of Determination was filed with the State Clearinghouse on October 14, 2014 and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on March 2, 2015, the letter identifies that one acre of the property is within the Williamson Act and requires removal prior to construction. No other issues that would adversely affect the beneficial use and quiet enjoyment of the property were identified.

Project Schedule

Approve preliminary plans	April 2015
Approve working drawings	March 2016
Start construction	June 2016
Complete construction	October 2017

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—5

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
STATEWIDE: CONSTRUCT COMMUNICATIONS FACILITIES, PHASE III
VARIOUS COUNTIES**

*Authority: Chapter 38, Statute of 2005, Item 3540-301-0001 (3)
Chapter 47, Statute of 2006, Item 3540-301-0001 (6), as reappropriated by the
Budget Acts 2007 and 2008*

Consider approving an increase within appropriation

CONSENT ITEMS

STAFF ANALYSIS ITEM—5

Department of Forestry and Fire Protection
Statewide: Construct Communications Facilities, Phase III
Various Counties

Action requested

If approved, the requested action would approve an increase within appropriation.

Scope Description

This project is within scope. This project replaces existing telecommunications towers, vaults and other supporting telecom infrastructure at nine sites throughout the state. The new structures will be built to meet essential services seismic standards, withstand 100 mph winds, and have 25-year serviceable life spans. Project scope include towers with a four legged lattice structure with a monopole on the upper section, work platforms, concrete masonry unit or concrete equipment vaults, VFW and microwave equipment, and other accessories as needed. The project scope also includes emergency generators, fuel systems, alarms, venting cooling systems, extension of utilities, paving, security fencing, and the demolition of existing structures.

Funding and Cost Verification

This project is not within cost. The Budget Acts of 2006 and 2008 provided a total of \$18,812,000 (General Fund) for the project. Construction bid savings were \$3,039,000, however subsequent construction cost increases eroded that savings, leaving approximately \$2,121,000 available for additional increases within appropriation. This \$400,000 increase is necessary to complete the construction phase work at the Cuyamaca State Park site within this project. Eight of the nine sites have been constructed and turned over to Office of Emergency Services Public Safety Communications (PSC) for installation of radio antennas and equipment. At the Cuyamaca State Park site in San Diego County, the vaults and generator have been made operational and turned over to PSC but the two towers at that site have yet to be erected because access to the site has been suspended pending correction of several contractor related site concerns. The Department of General Services is currently working with the Department of Parks and Recreation and the contractor to resolve these concerns so that the construction work can be completed.

\$16,691,000 total authorized projects costs

\$17,091,000 total estimated project costs

\$16,691,000 project costs previously allocated: \$906,000 preliminary plans, \$1,635,000 working drawings, \$14,551,000 construction (\$8,810,000 contract, \$270,000 contingency, \$1,754,000 A&E, \$3,715,000 other project costs, and \$10,000 Agency Retained Items)

\$ 400,000 requested increase within appropriation: construction

CEQA

All appropriate CEQA documents were filed by June 2007, and the associated statute of limitations periods expired without challenge.

Real Estate Due Diligence

The Department of General Services has completed real estate due diligence reviews for all nine sites and no significant issues that would adversely affect the beneficial use and quiet enjoyment of the project at any of the nine sites were identified.

Project Schedule

Approve preliminary plans	December 2007
Approve working drawings	May 2008 – May 2010
Start construction	January 2010 – November 2010
Complete construction	November 2013

Staff Recommendation: Approve an increase within appropriation.

CONSENT ITEMS

CONSENT ITEM—6

DEPARTMENT OF STATE HOSPITALS (4440)
METROPOLITAN STATE HOSPITAL – FIRE ALARM SYSTEM UPGRADE
LOS ANGELES COUNTY

*Authority: Chapter 20 Statutes of 2013, Item 4440-301-0001 (1)
Chapter 25 Statutes of 2014, Item 4440-301-0001 (3)*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—6

Department of State Hospitals
Metropolitan State Hospital – Fire Alarm System Upgrade
Los Angeles County

Action requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project will design and construct a National Fire Protection Association code required Fire Alarm System for eleven on-site existing buildings: eight Receiving and Treatment buildings, one Skilled Nursing Facility building, one Continuing Treatment East building, and one Continuing Treatment West building. The work includes: installation of a Central Control and Monitoring Station; ceiling- and wall-mounted fire alarms, smoke detectors, fire alarm pull, fire alarm control panels, heat and smoke detectors for mechanical ducts; and miscellaneous devices and appurtenances.

Funding and Cost Verification

This project is within cost. Appropriations for this project include \$633,000 for preliminary plans and \$712,000 for working drawings. The project is within cost because the preliminary plans and working drawings do not exceed appropriated amounts. The construction phase is estimated to be \$22,000 higher for soft cost compared to the previous construction estimate. However this will be re-evaluated during the working drawing phase with an attempt to reconcile the estimated amount as proposed in the 2015-16 COBCP. While existing working drawings authority is adequate to accommodate the design of scope change, the department indicates that the anticipated construction cost of this additional work is approximately \$22,000, or less than one percent total project cost. However, actual costs will not be known until the project is out to bid and staff will evaluate cost savings measures or other options, if needed, as working drawings are being completed, thus staff will not recognize this cost increase at this time.

\$8,979,000	total authorized project cost
\$9,001,000	total estimated project costs
\$1,345,000	costs previously allocated: \$633,000 preliminary plans and \$712,000 working drawings
\$7,656,000	costs to be allocated: construction (\$5,614,000 contracts, \$393,000 contingency, and \$1,649,000 project administration).
\$ 22,000	anticipated deficit: construction

CEQA

A Notice of Exception was filed with the State Clearinghouse on August 26, 2014, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions letter for this facility was completed in August 2012, no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	March 2015
Complete working drawings	January 2016
Start construction	June 2016
Complete construction	July 2018

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—7

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
JAIL PROJECT
SUTTER COUNTY

Authority: Sections 15820.91 – 15820.917 of the Government Code

Consider:

- a) approving preliminary plans
- b) recognizing revised project costs

CONSENT ITEMS

STAFF ANALYSIS ITEM—7

Department of Corrections and Rehabilitation
Jail Project
Sutter County

Action Requested

If approved, the requested action would approve preliminary plans and recognize revised project costs.

Scope Description

This project is within scope. This project will design and construct renovations to and an expansion of the existing county jail on approximately 2± acres of a greater 14± acres of county-owned land located in Yuba City. The expansion will create approximately 7,600 square feet (sf) of additional housing and program area and renovate approximately 2,300 sf of the existing jail and kitchen space. The project also includes the addition of fire sprinklers and seismic upgrades to the existing jail for compliance with current code requirements.

The new single-story housing and program area expansion will include a male housing unit with approximately 28 maximum security beds, a female dormitory with approximately 14 medium security beds, recreation yards, and program space.

The renovations to the existing jail will include expanding and upgrading the kitchen and converting the existing women's recreation yard into a new medical services area with medical exam and administrative space. The renovations will also include safety and sobering cells, office space, an interview room, and storage space.

Additionally, the existing facility will be retrofitted with fire sprinklers and seismic upgrades to ensure the existing facility meets current building code and seismic standards. The seismic upgrades will include improving the existing seismic joints between the administration wing and the main jail, reconstructing a portion of one of the administration wing walls, and strengthening the exterior walls and some interior walls of the administration wing through additional foundation anchors and roof connections.

The project will include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems; as well as all necessary appurtenances. The hard exterior of the building, which is composed of concrete and steel, will provide the secure perimeter.

Funding and Project Cost Verification

This project is not within cost. Section 15820.913 of the Government Code (AB 900) appropriates \$854,229,000 lease revenue bond financing authority to partially finance the design and construction of local jail facilities. Award of this funding to individual counties is administered by the Board of State and Community Corrections (BSCC). BSCC has conditionally awarded \$9,741,000 from this appropriation to Sutter County for this project. All acquisition/study and any design and construction costs in addition to this award amount will be paid by the county.

On October 18, 2013, the Board established the scope, cost, and schedule of this project, allocating \$9,741,000 of the \$854,229,000 lease revenue bond financing authority appropriated in section 15820.913 of the Government Code to partially finance the design and construction of this project. At the time of establishment, the total estimated project cost was \$10,552,000. Subsequent to that action, a new project cost estimate was prepared in association with the completion of preliminary plans. Based on this revised estimate, the current total estimated project cost is \$11,205,000, which is an increase of \$656,000.

\$10,552,000	total authorized project cost
\$11,208,000	total estimated project cost
\$ 9,741,000	state costs previously allocated: \$294,000 preliminary plans, \$461,000 working drawings, and \$8,986,000 construction (\$6,800,000 contract, \$574,000 contingency, \$152,000 A&E, \$258,000 agency retained, and \$1,202,000 other project costs)
	state costs adjustment: a decrease of \$32,000 preliminary plans, an increase of \$138,000 working drawings, and a decrease of \$106,000 construction (an increase of \$305,000 contract and \$130,000 contingency, and a decrease of \$15,000 agency retained and \$526,000 other project costs)

- \$ 811,000 local costs previously allocated: \$93,000 study/acquisition, \$240,000 preliminary plans, \$22,000 working drawings, and \$456,000 construction (\$38,000 contingency, \$251,000 A&E, and \$167,000 other project costs)
- \$ 656,000 local costs increase: \$4,000 preliminary plans and \$652,000 construction (\$715,000 contract, and a decrease of \$38,000 contingency and \$25,000 A&E)

CEQA

A Notice of Exemption was filed with the County Clerk Clearinghouse on April 12, 2012, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on October 22, 2014, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	March 2015
Complete working drawings	November 2015
Start construction	March 2016
Complete construction	November 2017

Staff Recommendation: **Approve preliminary plans and recognize revised project costs.**

ACTION ITEMS

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665))
INITIAL OPERATING SEGMENT, SECTION 1
MADERA, FRESNO, KINGS, AND TULARE COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Richards Family Land Property (Kings County)**
Authority Parcel Number: FB-16-0142-1
Assessor Parcel Number: 014-260-100
- 2. Dias 1 Property (Kings County)**
Authority Parcel Numbers: FB-16-0057-1 and FB-0057-2
Assessor Parcel Numbers: 014-090-047, 014-090-048 and 014-090-049
- 3. Rogers 1 Property (Kings County)**
Authority Parcel Numbers: FB-16-0361-1 and FB-16-0361-01-01
Assessor Parcel Number: 014-130-085
- 4. Rogers 2 Property (Kings County)**
Authority Parcel Numbers: FB-16-0362-1, FB-16-0362-2 and FB-16-0362-01-01
Assessor Parcel Number: 014-130-086
- 5. Rogers 3 Property (Kings County)**
Authority Parcel Numbers: FB-16-0363-1, FB-16-0363-2 and FB-16-0363-01-01
Assessor Parcel Number: 014-130-087
- 6. Rogers 4 Property (Kings County)**
Authority Parcel Numbers: FB-16-0364-1, FB-16-0364-2 and FB-16-0364-01-01
Assessor Parcel Number: 014-130-088
- 7. Kaur Property (Fresno County)**
Authority Parcel Numbers: FB-10-0056-1, FB-10-0056-01-01, FB-10-0057-1,
FB-10-0057-01-01, FB-10-0058-1, and FB-10-0058-01-01
Assessor Parcel Numbers: 450-155-16, 450-155-17 and 450-155-18
- 8. Church Avenue Investors Property (Fresno County)**
Authority Parcel Number: FB-10-0212-1
Assessor Parcel Number: 480-090-12

9. **Yergat Property (Fresno County)**
Authority Parcel Number: FB-10-0750-1
Assessor Parcel Number: 334-250-66
10. **EBC Farms Property (Kings County)**
Authority Parcel Number: FB-16-0119-1
Assessor Parcel Number: 014-260-078
11. **Coelho Property (Kings County)**
Authority Parcel Numbers: FB-16-0151-1, FB-16-0151-2, and FB-16-0151-3
Assessor Parcel Number: 016-070-036
12. **HPI/GSA (Sunrise Equities) Property (Fresno County)**
Authority Parcel Numbers: FB-10-0112-1, FB 10-0112-01-01 and
FB-10-0112-02-01
Assessor Parcel Number: 465-020-22S
13. **Pereirra Property (Kings County)**
Authority Parcel Number: FB-16-0167-1
Assessor Parcel Number: 016-070-014
14. **Stiefvater Property (Tulare County)**
Authority Parcel Number: FB-54-0364-1
Assessor Parcel Number: 291-080-006
15. **Andranigian Property (Fresno County)**
Authority Parcel Numbers: FB-10-0480-1, FB-10-0480-2 and FB-10-0480-3
Assessor Parcel Number: 056-090-09
16. **Dias 2 Property (Kings County)**
Authority Parcel Numbers: FB-16-0120-1 and FB-16-0120-2
Assessor Parcel Number: 014-260-087
17. **John Teixeira Farms Property (Kings County)**
Authority Parcel Number: FB-16-0140-1
Assessor Parcel Number: 014-090-022
18. **Dias 3 Property (Kings County)**
Authority Parcel Numbers: FB-16-0144-1, FB-16-0144-01-01 and FB-16-
0144-02-01
Assessor Parcel Number: 014-260-021
19. **Jimenez Property (Kings County)**
Authority Parcel Number: FB-16-0285-1
Assessor Parcel Number: 034-011-005
20. **Davis Property (Kings County)**
Authority Parcel Numbers: FB-16-0318-1, FB-16-0318-2 and FB-16-0318-3
Assessor Parcel Number: 034-030-012

- 21. Baltimore Aircoil Company Property (Madera County)**
Authority Parcel Number: MF-20-1014-1
Assessor Parcel Number: 035-162-026
- 22. Brazil Property (Kings County)**
Authority Parcel Numbers: FB-16-0032-1 and FB-16-0032-01-01
Assessor Parcel Number: 002-190-008
- 23. Marthedal Property (Fresno County)**
Authority Parcel Numbers: FB-10-0326-1 and FB-10-0326-2
Assessor Parcel Numbers: 335-140-27 and 335-140-29
- 24. Robinson Property (Fresno County)**
Authority Parcel Numbers: FB-10-0364-1, FB-10-0364-2 and FB-10-0364-3
Assessor Parcel Number: 338-100-27
- 25. Vasquez Property (Fresno County)**
Authority Parcel Numbers: FB-10-0384-1 and FB-10-0384-2
Assessor Parcel Number: 042-160-02
- 26. Flood Property (Kings County)**
Authority Parcel Numbers: FB-16-0008-1, FB-16-0008-2 and FB-16-0008-3
Assessor Parcel Number: 002-120-036
- 27. Breckenridge Property (Tulare County)**
Authority Parcel Number: FB-54-0362-1
Assessor Parcel Number: 291-070-008
- 28. Chimienti Property (Fresno County)**
Authority Parcel Numbers: MF-10-0095-1, MF-10-0095-2 and MF-10-0095-3
Assessor Parcel Numbers: 510-070-62s and 510-070-63s
- 29. Ruiz 1 Property (Fresno County)**
Authority Parcel Numbers: FB-10-0333-1 and FB-10-0333-2
Assessor Parcel Number: 335-140-35S
- 30. Vie-Del 1 Property (Fresno County)**
Authority Parcel Numbers: FB-10-0399-1 and FB-10-0399-2
Assessor Parcel Number: 042-180-04
- 31. Vie-Del 2 Property (Fresno County)**
Authority Parcel Numbers: FB-10-0400-1, FB-10-0400-2, FB-10-0400-3,
FB-10-0400-4, FB-10-0400-5, and FB-10-0400-6
Assessor Parcel Numbers: 042-180-05 and 042-180-07
- 32. Erreca Property (Fresno County)**
Authority Parcel Numbers: FB-10-0482-1 and FB-10-0483-1
Assessor Parcel Numbers: 450-273-12 and 450-273-13

- 33. M.C. Land Property (Kings County)**
Authority Parcel Number: FB-16-0046-1
Assessor Parcel Numbers: 014-060-058 and 014-060-059
- 34. Nick's Trucking Property (Fresno County)**
Authority Parcel Number: MF-10-0064-4
Assessor Parcel Number: 508-110-46S
- 35. Smith Property (Fresno County)**
Authority Parcel Numbers: FB-10-0343-1, FB-10-0343-2, FB-10-0343-3,
FB-10-0343-4, FB-10-0343-5, and FB 10-0343-6
Assessor Parcel Numbers: 335-170-28S and 335-170-30S
- 36. Ruiz 2 Property (Fresno County)**
Authority Parcel Numbers: FB-10-0395-1, FB-10-0395-2, and FB-10-0395-3
Assessor Parcel Number: 042-170-35S
- 37. BR Properties Property (Fresno County)**
Authority Parcel Numbers: FB-10-0614-1 and FB-10-0615-1
Assessor Parcel Numbers: 480-020-76 and 480-020-77
- 38. Singh Kular Property (Fresno County)**
Authority Parcel Numbers: FB-10-0423-1, FB-10-0423-2, and FB-10-0423-3
Assessor Parcel Number: 385-051-07S
- 39. Peoples Ditch Property (Kings County)**
Authority Parcel Numbers: FB-16-0061-1 and FB-16-0061-2
Assessor Parcel Number: 014-060-033
- 40. Oates Property (Fresno County)**
Authority Parcel Numbers: MF-10-0079-1 and MF-10-0079-2
Assessor Parcel Number: 510-050-01
- 41. 4285 Golden State Property (Fresno County)**
Authority Parcel Numbers: MF-10-0102-1, MF-10-0102-2, MF-10-0102-3,
MF-10-0103-1, MF-10-0103-2, and MF-10-0103-3
Assessor Parcel Numbers: 510-460-14 and 510-460-15
- 42. Curran Family Property (Madera County)**
Authority Parcel Numbers: MF-20-0938-1, MF-20-0938-01-01, MF-20-0939-1,
MF-20-0939-01-01, MF-20-0940-1, MF-20-0940-01-01, MF-20-0941-1,
MF-20-0941-01-01, MF-20-0942-1, MF-20-0942-01-01, MF-20-0943-1,
MF-20-0943-2, MF-20-0943-3, MF-20 0943-01-01, and MF-20-0944-1
Assessor Parcel Numbers: 034-210-049, 034-210-045, 034-190-031;
035-232-002, 035-232-003, 035-211-006, 035-212-003; 035-212-004 and
035-212-005
- 43. Bishop Property (Madera County)**
Authority Parcel Number: MF-20-0961-1
Assessor Parcel Number: 035-110-011

ACTION ITEMS

STAFF ANALYSIS ITEM—1

Action Requested

If approved, the requested action would adopt 38 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 152 acres. Specifically, the recommendation is to adopt items 1-14, 16-21, 24-34, 36-40, and 42-43.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,300 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to near Bakersfield.

The Property Acquisition Law, commencing with Section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an extensive environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between June 2013 and January 2015, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On March 23 and 24, 2015, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Richards Family Land Property (Kings County)

Authority Parcel Number: FB-16-0142-1
Assessor Parcel Number: 014-260-100
Partial Acquisition: 3.06 acres in fee

This property will be needed for the construction of the access road to the Kings/Tulare Regional Station.

2. Dias 1 Property (Kings County)

Authority Parcel Numbers: FB-16-0057-1 and FB-0057-2
Assessor Parcel Numbers: 014-090-047, 014-090-048 and 014-090-049
Partial Acquisition: 8.55 acres in fee

This property will be needed for the construction of the Fargo Avenue grade separation and the reconnection of 7½ Avenue.

3. Rogers 1 Property (Kings County)

Authority Parcel Numbers: FB-16-0361-1 and FB-16-0361-01-01
Assessor Parcel Number: 014-130-085
Partial Acquisition: 1.67 acres in fee

This property will be needed for the construction of the HSTS between Fargo Avenue and Grangeville Boulevard.

4. Rogers 2 Property (Kings County)

Authority Parcel Numbers: FB-16-0362-1, FB-16-0362-2 and FB-16-0362-01-01
Assessor Parcel Number: 014-130-086
Partial Acquisition: 1.29 acres in fee

This property will be needed for the construction of the HSTS between Fargo Avenue and Grangeville Boulevard.

5. Rogers 3 Property (Kings County)

Authority Parcel Numbers: FB-16-0363-1, FB-16-0363-2 and FB-16-0363-01-01

Assessor Parcel Number: 014-130-087

Partial Acquisition: 1.32 acres in fee

This property will be needed for the construction of the HSTS between Fargo Avenue and Grangeville Boulevard.

6. Rogers 4 Property (Kings County)

Authority Parcel Numbers: FB-16-0364-1, FB-16-0364-2 and FB-16-0364-01-01

Assessor Parcel Number: 014-130-088

Partial Acquisition: 6.54 acres total (5.48 acres in fee, 1.06 acres in permanent easement).

This property will be needed for the construction of the HSTS between Fargo Avenue and Grangeville Boulevard.

7. Kaur Property (Fresno County)

Authority Parcel Numbers: FB-10-0056-1, FB-10-0056-01-01, FB-10-0057-1,

FB-10-0057-01-01, FB-10-0058-1, and FB-10-0058-01-01

Assessor Parcel Numbers: 450-155-16, 450-155-17 and 450-155-18

Full Acquisition: 0.45 acres in fee

This property will be needed for the construction of the W. Olive Avenue grade separation.

8. Church Avenue Investors Property (Fresno County)

Authority Parcel Number: FB-10-0212-1

Assessor Parcel Number: 480-090-12

Partial Acquisition: 2.07 acres in fee

This property will be needed for the construction of the E. Church Avenue street improvements.

9. Yergat Property (Fresno County)

Authority Parcel Number: FB-10-0750-1

Assessor Parcel Number: 334-250-66

Partial Acquisition: 0.52 acre in fee

This property will be needed for the construction of the HSTS between E. Morton Avenue and E. Clayton Avenue.

10. EBC Farms Property (Kings County)

Authority Parcel Number: FB-16-0119-1

Assessor Parcel Number: 014-260-078

Partial Acquisition: 23.70 acres in fee

This property will be needed for the construction of the Kings/Tulare Regional Station.

11. Coelho Property (Kings County)

Authority Parcel Numbers: FB-16-0151-1, FB-16-0151-2, and FB-16-0151-3
Assessor Parcel Number: 016-070-036
Partial Acquisition: 5.26 acres total (3.45 acres in fee, 1.81 acres in access easement)

This property will be needed for the construction of the HSTS between State Route 198 and Hanford-Armona Road.

12. HPI/GSA (Sunrise Equities) Property (Fresno County)

Authority Parcel Numbers: FB-10-0112-1, FB 10-0112-01-01 and FB-10-0112-02-01
Assessor Parcel Number: 465-020-22S
Full Acquisition: 4.13 acres in fee

This property will be needed for the construction of the HSTS between State Route 180 and Stanislaus Street.

13. Pereira Property (Kings County)

Authority Parcel Number: FB-16-0167-1
Assessor Parcel Number: 016-070-014
Partial Acquisition: 0.20 acre in fee

This property will be needed for the construction of the Hanford-Armona Road grade separation.

14. Stiefvater Property (Tulare County)

Authority Parcel Number: FB-54-0364-1
Assessor Parcel Number: 291-080-006
Partial Acquisition: 0.55 acre in fee

This property will be needed for the construction of the Avenue 112 grade separation.

15. Andranigian Property (Fresno County)

Authority Parcel Numbers: FB-10-0480-1, FB-10-0480-2 and FB-10-0480-3
Assessor Parcel Number: 056-090-09
Partial Acquisition: 3.23 acres total (2.02 acres in fee, 1.21 acres in access easement)

PROPERTY PULLED

16. Dias 2 Property (Kings County)

Authority Parcel Numbers: FB-16-0120-1 and FB-16-0120-2
Assessor Parcel Number: 014-260-087
Partial Acquisition: 3.55 acres in fee

This property will be needed for the construction of the HSTS between Grangeville Boulevard and E. Lacey Boulevard and Kings/Tulare Regional Station.

17. John Teixeira Farms Property (Kings County)

Authority Parcel Number: FB-16-0140-1

Assessor Parcel Number: 014-090-022

Partial Acquisition: 1.63 acres in fee

This property will be needed for the construction of the Flint Avenue grade separation.

18. Dias 3 Property (Kings County)

Authority Parcel Numbers: FB-16-0144-1, FB-16-0144-01-01 and FB-16-0144-02-01

Assessor Parcel Number: 014-260-021

Partial Acquisition: 8.28 acres total (8.02 acres in fee, 0.26 acre in permanent easement)

This property will be needed for the construction of the HSTS between Grangeville Road and State Route 198.

19. Jimenez Property (Kings County)

Authority Parcel Number: FB-16-0285-1

Assessor Parcel Number: 034-011-005

Partial Acquisition: 2.98 acres in access easement

This property will be needed for the construction of the access road to a traction power site and neighboring properties south of Nevada Avenue.

20. Davis Property (Kings County)

Authority Parcel Numbers: FB-16-0318-1, FB-16-0318-2 and FB-16-0318-3

Assessor Parcel Number: 034-030-012

Partial Acquisition: 0.44 acre total (0.41 acre in fee, 0.03 acre in TCE)

This property will be needed for the construction of the Waukena Avenue grade separation.

21. Baltimore Aircoil Company Property (Madera County)

Authority Parcel Number: MF-20-1014-1

Assessor Parcel Number: 035-162-026

Partial Acquisition: 0.05 acre in fee

This property will be needed for the construction of the Avenue 15½ grade separation.

22. Brazil Property (Kings County)

Authority Parcel Numbers: FB-16-0032-1 and FB-16-0032-01-01

Assessor Parcel Number: 002-190-008

Partial Acquisition: 13.35 acres in fee

PROPERTY PULLED

23. Marthedal Property (Fresno County)

Authority Parcel Numbers: FB-10-0326-1 and FB-10-0326-2

Assessor Parcel Numbers: 335-140-27 and 335-140-29

Partial Acquisition: 2.24 acres in fee

PROPERTY PULLED

24. Robinson Property (Fresno County)

Authority Parcel Numbers: FB-10-0364-1, FB-10-0364-2 and FB-10-0364-3

Assessor Parcel Number: 338-100-27

Partial Acquisition: 2.62 acres total (2.59 acres in fee, 0.03 acre in road easement).

This property will be needed for the construction of the HSTS between E. Springfield Avenue and E. Dinuba Avenue and street improvements on E. Dinuba Avenue.

25. Vasquez Property (Fresno County)

Authority Parcel Numbers: FB-10-0384-1 and FB-10-0384-2

Assessor Parcel Number: 042-160-02

Partial Acquisition: 3.56 acres total (2.93 acres in fee, 0.63 in permanent easement)

This property will be needed for the construction of the E. Floral Avenue grade separation.

26. Flood Property (Kings County)

Authority Parcel Numbers: FB-16-0008-1, FB-16-0008-2 and FB-16-0008-3

Assessor Parcel Number: 002-120-036

Partial Acquisition: 0.84 acre total (0.42 acre in fee, 0.42 acre in permanent easement)

This property will be needed for the construction of the HSTS between Cairo Avenue and the Kings River.

27. Breckenridge Property (Tulare County)

Authority Parcel Number: FB-54-0362-1

Assessor Parcel Number: 291-070-008

Partial Acquisition: 7.79 acres in fee

This property will be needed for the construction of the Avenue 112 grade separation.

28. Chimienti Property (Fresno County)

Authority Parcel Numbers: MF-10-0095-1, MF-10-0095-2 and MF-10-0095-3

Assessor Parcel Numbers: 510-070-62s and 510-070-63s

Partial Acquisition: 0.25 acre total (0.19 acre in fee, 0.06 acre in TCE)

This property will be needed for the construction of the HSTS and N. Golden State Boulevard between W. Ashlan Avenue and W. Shaw Avenue.

29. Ruiz 1 Property (Fresno County)

Authority Parcel Numbers: FB-10-0333-1 and FB-10-0333-2

Assessor Parcel Number: 335-140-35S

Partial Acquisition: 3.98 acres in fee

This property will be needed for the construction of the HSTS between E. South Avenue and E. Manning Avenue.

30. Vie-Del 1 Property (Fresno County)

Authority Parcel Numbers: FB-10-0399-1 and FB-10-0399-2

Assessor Parcel Number: 042-180-04

Partial Acquisition: 3.20 acres in fee

This property will be needed for the construction of the HSTS between E. Mountain View Avenue and E. Nebraska Avenue and the E. Nebraska Avenue grade separation.

31. Vie-Del 2 Property (Fresno County)

Authority Parcel Numbers: FB-10-0400-1, FB-10-0400-2, FB-10-0400-3, FB-10-0400-4, FB-10-0400-5, and FB-10-0400-6

Assessor Parcel Numbers: 042-180-05 and 042-180-07

Partial Acquisition: 9.22 acres total (9.21 acres in fee, 0.01 acre in TCE)

This property will be needed for the construction of the HSTS between E. Mountain View Avenue and E. Nebraska Avenue and the E. Nebraska Avenue grade separation.

32. Erreca Property (Fresno County)

Authority Parcel Numbers: FB-10-0482-1 and FB-10-0483-1

Assessor Parcel Numbers: 450-273-12 and 450-273-13

Full Acquisition: 0.33 acre in fee

This property will be needed for the construction of the Belmont Avenue grade separation.

33. M.C. Land Property (Kings County)

Authority Parcel Number: FB-16-0046-1

Assessor Parcel Numbers: 014-060-058 and 014-060-059

Partial Acquisition: 0.60 acre in fee

This property will be needed for the construction of the Elder Avenue grade separation.

34. Nick's Trucking Property (Fresno County)

Authority Parcel Number: MF-10-0064-4

Assessor Parcel Number: 508-110-46S

Partial Acquisition: 0.17 acre in TCE

This property will be needed for the construction of the N. Golden State Boulevard between N. State Street and N. Cornelia Avenue. This request is supplemental to the Resolution of Necessity adopted on April 11, 2014 for this property.

35. Smith Property (Fresno County)

Authority Parcel Numbers: FB-10-0343-1, FB-10-0343-2, FB-10-0343-3, FB-10-0343-4, FB-10-0343-5, and FB 10-0343-6

Assessor Parcel Numbers: 335-170-28S and 335-170-30S

Partial Acquisition: 12.25 acres total (12.24 acres in fee, 0.01 acre in TCE)

PROPERTY PULLED

36. Ruiz 2 Property (Fresno County)

Authority Parcel Numbers: FB-10-0395-1, FB-10-0395-2, and FB-10-0395-3

Assessor Parcel Number: 042-170-35S

Partial Acquisition: 0.91 acre total (0.88 in fee, 0.03 acre in TCE)

This property will be needed for the construction of the HSTS between E. Rose Avenue and E. Nebraska Avenue and the E. Nebraska Avenue grade separation.

37. BR Properties Property (Fresno County)

Authority Parcel Numbers: FB-10-0614-1 and FB-10-0615-1

Assessor Parcel Numbers: 480-020-76 and 480-020-77

Partial Acquisition: 0.34 acre in sewer easement

This property will be needed for the construction and maintenance of the sewer line in E. Jenson Avenue between S. Sunland Avenue and S. Orange Avenue.

38. Singh Kular Property (Fresno County)

Authority Parcel Numbers: FB-10-0423-1, FB-10-0423-2, and FB-10-0423-3

Assessor Parcel Number: 385-051-07S

Partial Acquisition: 3.14 acres total (2.06 acres in fee, 0.50 acre drainage easement, 0.58 acre TCE)

This property will be needed for the construction of the underground irrigation system and E. Mountain View Avenue grade separation.

39. Peoples Ditch Property (Kings County)

Authority Parcel Numbers: FB-16-0061-1 and FB-16-0061-2

Assessor Parcel Number: 014-060-033

Partial Acquisition: 2.69 acres total (2.36 acres in fee, 0.33 acre in TCE)

This property will be needed for the construction of the Flint Avenue grade separation.

40. Oates Property (Fresno County)

Authority Parcel Numbers: MF-10-0079-1 and MF-10-0079-2

Assessor Parcel Number: 510-050-01

Partial Acquisition: 0.24 acre total (0.20 acre in fee, 0.04 acre TCE)

This property will be needed for the construction of the street improvements for N. Cornelia Avenue and E. Shaw Avenue grade separation.

41. 4285 Golden State Property (Fresno County)

Authority Parcel Numbers: MF-10-0102-1, MF-10-0102-2, MF-10-0102-3,
MF-10-0103-1, MF-10-0103-2, and MF-10-0103-3

Assessor Parcel Numbers: 510-460-14 and 510-460-15

Partial Acquisition: 1.47 acres total (1.24 acres in fee, 0.23 acre in TCE)

PROPERTY PULLED

42. Curran Family Property (Madera County)

Authority Parcel Numbers: MF-20-0938-1, MF-20-0938-01-01, MF-20-0939-1,
MF-20-0939-01-01, MF-20-0940-1, MF-20-0940-01-01, MF-20-0941-1,
MF-20-0941-01-01, MF-20-0942-1, MF-20-0942-01-01, MF-20-0943-1,
MF-20-0943-2, MF-20-0943-3, MF-20 0943-01-01, and MF-20-0944-1

Assessor Parcel Numbers: 034-210-049, 034-210-045, 034-190-031;
035-232-002, 035-232-003, 035-211-006, 035-212-003; 035-212-004 and
035-212-005

Partial Acquisition: 35.32 acres in fee

This property will be needed for the construction of the HSTS between Avenue
15 and Avenue 13 and the Avenue 15 grade separation.

43. Bishop Property (Madera County)

Authority Parcel Number: MF-20-0961-1

Assessor Parcel Number: 035-110-011

Partial Acquisition: 0.46 acre in fee

This property will be needed for the construction of the Avenue 15½ grade
separation.

Staff Recommendation: **Adopt 38 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 166 acres. Specifically, the recommendation is to adopt items 1-14, 16-21, 24-34, 36-40, and 42-43.**

ACTION ITEMS

ACTION ITEM—2

DEPARTMENT OF PARKS AND RECREATION (3790)
FOLSOM LAKE STATE RECREATIONAL AREA, MARINA OPERATIONS
SACRAMENTO COUNTY

Authority: Section 5080.20(c) of the Public Resources Code

Consider approving a concession through the Request for Proposals process after making the following findings and determinations:

It is necessary to revise the terms of a concession and it would be adverse to the interests of the public to defer action on the concession until the Legislature considers the 2015-16 Budget Bill.

This action is contingent upon the expiration of the Joint Legislative Budget Committee review period.

ACTION ITEMS

STAFF ANALYSIS ITEM—2

Department of Parks and Recreation
Folsom Lake State Recreation Area
Marina Operations

Action Requested

If approved, the requested action would authorize revising the terms of a concession, after finding and determining that it would be adverse to the interests of the public to defer action on the concession until the Legislature considers the 2015-16 Budget Bill. This action would be contingent upon the expiration of the Joint Legislative Budget Committee review period without adverse comment.

Scope Description

This project is within scope. This request would authorize the Department of Parks and Recreation (Parks) to award a revised concession through the Request For Proposals (RFP) process for the development, operation, and maintenance of a new marina, concession store, boat slip rentals, and storage at Folsom Lake SRA.

Public Resources Code (PRC) section 5080.20 requires that Department of Parks and Recreation (Parks) concession contracts that generate greater than \$500,000 in annual revenue be approved by the Legislature during the annual budget process. Section 5080.20(c) also states that if the State Public Works Board (Board) determines that the proposed concession could not have been presented to the Legislature for review during the annual budget process and waiting for the next budget cycle would not be in the public interest, the Board may review and approve the concession contract terms to be advertised after providing a 20-day written notice to the Legislature.

Parks received legislative approval for a new concession contract at the Folsom Lake State Recreation Area (SRA) in the 2013 Budget Act; however, Parks wishes to change the terms of the contract to provide for additional revenues, that will allow Parks to be more operationally self-sufficient, and to enhance the renovations to the marina that would now be made by the concessionaire instead of Parks.

The new proposed concession contract terms could have been presented to the Legislature through the normal budget process; however, it will delay the necessary marina renovations that will be made by the concessionaire and reduce the associated revenues that would be used by Parks to supplement their operating costs. Parks anticipates that the new concession contract can be executed by March or April 2016—after completion of the RFP process—which will give the concessionaire enough time to complete the renovations before the peak visitor season begins in late May 2016, prior to the busy boating season.

Consequently, staff has determined that the criteria included in Public Resources Code section 5080.20 have been met for Board review and authorization.

On March 27, 2015, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to authorize the concession contract, and the 20-day notice period will expire on April 16, 2015.

Funding and Cost Verification

The project is within cost. The cost to Parks for the issuance of the RFP is estimated at \$12,000 to administer the process and execute a contract. These costs will be absorbed by existing Parks resources.

CEQA

There are no changes to the existing scope of concessionaire's operation that require a California Environmental Quality Act (CEQA) review. Based on the outcome of the RFP process, Parks may determine concession improvements require CEQA review. In such case, Parks will coordinate the process with funding by the concessionaire.

Project Schedule

The anticipated project schedule for the concession is as follows:

Release of RFP – October 2015

Contract Award – March 2016

Concessionaire Completes Installation of Marina Improvements – May 2016

Concession

Parks operates Folsom Lake SRA under a 25-year Managing Partner Agreement with the U.S. Bureau of Reclamation and the Folsom Lake SRA marina facilities are currently operated on a month-to-month basis by the concessionaire.

The revised concession terms will transfer from Parks to the concessionaire the obligation for marina repairs of the ramp system, cables, and fuel storage tanks, and replacement of between 675 and 940 marina boat slips. This will increase the facility investments from \$800,000 in the prior concession to \$2.5 million. The concessionaire would also construct dry dock storage for up to 255 boats. In order to compensate the concessionaire for these additional costs, the new concession would increase the term of the contract from 23 to 30 years with a minimum annual rent guarantee of \$115,000 rather than the previously approved \$150,000 annual rent guarantee. Consistent with the current concession, the rent would be the greater of the minimum annual rent guarantee, or 7.5 percent of gross sales up to \$500,000 and 10 percent over \$500,000, plus 2 percent for dock maintenance and 2 percent of fuel sales. The new concession would also transfer 100 percent of the gate fee collections, approximately \$400,000 annually, from a concessionaire to Parks. The revised concession will generate additional revenues and promote Parks' efforts to increase entrepreneurial opportunities.

Other

In the event no proposals are received or that no "best responsible proposal" is selected, Parks may proceed with a negotiated contract in accordance with Section 5080.16(a) of the Public Resources Code.

Staff Recommendation: **Authorize revising the terms of a concession, after finding and determining that it would be adverse to the interests of the public to defer action on the concession until the Legislature considers the 2015-16 Budget Bill. This action would be contingent upon the expiration of the Joint Legislative Budget Committee review period without adverse comment.**

OTHER BUSINESS

NONE

REPORTABLES

To be presented at the meeting.